

# **EXHIBIT D**

**AFFIDAVIT (AMENDED REPORT)**

**DATED APRIL 15, 2019 BY**

**PLAINTIFF'S EXPERT DANIEL CATENACCI, MD**

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
ROCK HILL DIVISION

**ANTONIO MAURICE SCOTT, As  
Personal Representative of the Estate of  
GEORGE BYNUM,**

**Plaintiff,**

**v.**

**SIVA CHOCKALINGAM, M.D.;  
ASSOCIATES IN  
GASTROENTEROLOGY, P.A.;  
BERKELEY ENDOSCOPY CENTER,  
L.L.C.; ROBERT SHARP, M.D., In His  
Individual Capacity as Agent, Servant,  
And/Or Employee of the South  
Carolina Department of Corrections,  
SOUTH CAROLINA DEPARTMENT  
OF CORRECTIONS,**

**Defendants.**

**C/A No. 0:18-1102-RMG-PJG**

**AFFIDAVIT OF DR. DANIEL  
CATENACCI, M.D.**

I, Daniel Catenacci, being duly sworn deposes and says:

1. I am a physician, duly licensed to practice medicine in the State of Illinois. I am Board Certified in Medical Oncology and practice in the fields of Medical Oncology with a subspecialty in Gastrointestinal Oncology, including patients with esophageal squamous cancer. I have been involved in these patients' care including various therapies such as in the perioperative and metastatic settings.
2. I have previously reviewed information and records regarding this case, including the records of Dr. Chockalingam, SCDC, and SCOA. I have also recently been provided updated medical records and the deposition of Dr. Chockalingam.

3. I have previously written an expert report in this case with respect to causation, and I further clarify the following opinions as set forth in this Affidavit.

4. In my professional opinion, without limitation:

- As in this case, it is commonly understood in the medical field that the earlier one is diagnosed and treated, the higher the probability for cure of this cancer and a higher probability for longer survivability;
- If Mr. Bynum was diagnosed and treated at an earlier point in time, and therefore diagnosed at an earlier stage, his life expectancy would have been extended and his survivability would have been longer;
- In accordance with Dr. Eisner's opinions, had Mr. Bynum's cancer been caught in October 2013 or soon thereafter, Mr. Bynum more likely than not would have had a higher probability for long term survival and higher probability of cure. Mr. Bynum would have therefore been diagnosed at an earlier stage, instead of Stage IV, and he more likely than not would have had a higher probability of long term survival.



Daniel Catenacci, M.D.

SWORN TO AND SUBSCRIBED

Before me this 15 day of April, 2019.

Notary Public for ILLINOIS

My commission expires: 8/25/2020

